

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

JOHN A SCHULTZ,

Plaintiff,

v.

Case No.: 2:20-cv-400-FtM-38MRM

WILSON LIGHTING OF NAPLES,
INC., BRIAN WILSON and ROBERT
WILSON, III ,

Defendants.

_____ /

OPINION AND ORDER¹

Before the Court is United States Magistrate Judge Mac R. McCoy's Report and Recommendation (R&R) ([Doc. 9](#)), recommending the Court deny the parties' Joint Motion for Approval of Parties' Settlement Agreement ([Doc. 8](#)). No party objected to the R&R, and the time to do so has passed.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject, or modify the magistrate judge's report and recommendation. See [28 U.S.C. § 636\(b\)\(1\)](#); see also [Williams v. Wainwright](#), [681 F.2d 732 \(11th Cir. 1982\)](#). In the absence of specific objections, there is no requirement that a district judge review factual findings *de novo*, [Garvey v. Vaughn](#), [993 F.2d 776, 779 n.9 \(11th Cir. 1993\)](#), and the court may accept, reject, or modify, in whole or in part, the findings and recommendations. [28 U.S.C. § 636\(b\)\(1\)\(C\)](#). The district

¹ Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

judge reviews legal conclusions *de novo*, even in the absence of an objection. See [Cooper-Houston v. Southern Ry. Co.](#), 37 F.3d 603, 604 (11th Cir. 1994).


Judge McCoy was unable to conduct the necessary review of the parties' proposed FLSA settlement—which the parties did not file on the docket—without running afoul of its confidentiality provision. Rather than nullify the confidentiality provision, Judge McCoy recommends the Court reject the proposed settlement without prejudice. After careful consideration of the R&R and an independent review of the file, the Court accepts and adopts the R&R.

Accordingly, it is now

ORDERED:

United States Magistrate Judge Mac R. McCoy's Report and Recommendation (R&R) ([Doc. 9](#)) is **ACCEPTED and ADOPTED**. The parties' Joint Motion for Approval of the Parties' Settlement Agreement ([Doc. 8](#)) is **DENIED without prejudice**.

DONE and **ORDERED** in Fort Myers, Florida this 19th day of August, 2020.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record